

REMARKS

Claims 1 and 5-15 are in the application.

As a result of the foregoing amendment, the subject matter of claim 4 has been included in claim 1.

In addition, the features recited in the paragraph bridging pages 15 and 16 of the application have been included in claim 1. Specifically, it has been made clear that the brake caliper (1) is provided with a radial opening (9) in the bridge area extending across the brake disk, while in the area where the brake pads (2), (3) make contact with the disk, the brake caliper (1) is closed, so that the brake pads (2), (3) are supported axially over their entire width. Since these features are clearly shown and described in the application, it is respectfully submitted that no new matter has been added.

Reconsideration and withdrawal of the rejection of the claims under 35 U.S.C. §103(a) over the patent to Evans in view of the patent to Rinker et al., are respectfully requested.

The references have been discussed in detail in previous amendments and the comments concerning the references are incorporated herein by reference.

The feature according to which the caliper (1) is closed in the area where the caliper makes contact with the brake pads, ensures that tilting movements and cocking are not possible. It is respectfully submitted that the reference clearly do not disclose or suggest such a configuration.

In addition, claim 1 now includes the feature that the centers of gravity of the brake pads are the same radial distance away from the center axis of the brake disk. This provides symmetry or uniformity in the radial direction while there is no symmetry in the circumferential direction. This configuration is also not taught by the references of record.

As previously mentioned, Fig. 17 of Evans does not show this configuration because the center axis is not shown. If the points were on the same radius, it would be necessary for point P to be lower than point C in Fig. 17.

Reconsideration and allowance of the present application are respectfully requested.

Any additional fees or charges required at this time in connection with this application may be charged to Patent and Trademark Office Deposit Account No. 11-1835.

Respectfully submitted,

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Dated: November 9, 2005

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop RCA, Commissioner for Patents, PO Box 1450 Alexandria, VA 22313-1450, on November 9, 2005.

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Date: November 9, 2005